REMARKS

Claim 59-64, and 78-83 are pending the application. Claims 59, 64 and 83 were amended, and claims 65-77 were previously canceled.

Rejection under 35 U.S.C. § 112

<u>35 U.S.C. § 112, first paragraph</u>

Claims 59-64, and 78-83 were rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Applicants respectfully submit that the current claims comply with 35 U.S.C. § 112, first paragraph, and convey to one of skill in the relevant art that the inventors had possession of the claimed invention at the time the application was filed. Applicants address each of the cited sections of the claims below in the order mentioned by the Examiner.

In claim 59:

"each financial institution is only participating automatically in the obtaining of account information available to it" has been canceled without prejudice.

"wherein recommending comprises generating a report for the account holder" is supported by the specification beginning at page 16, line 1, Figure 4, element 236, and Figure 11, element 410.

"wherein recommending comprises generating a report for the account holder that is viewable on a computer via the publicly available network" is supported by the specification. Examples of support in the specification include Figure 2 and 3, which show the financial management system coupled to a client computer and a display device via a network. In addition, Report generator 236 of Figure 4 is described and illustrated as part of the financial management system, which is understood to be an electronic, computer-based system. As such, any report generated by report generator 236 is by definition and electronic report in the form of electronic data that is displayable on a computer display device via a network. Applicants respectfully submit that one of ordinary skill could not possibly interpret the disclosure in any other

manner, and this the cited limitation is fully supported according to 35 U.S.C. § 112, first paragraph.

"wherein the one or more financial transactions involves one or more of the plurality of the financial institutions transacting with the financial management system and not transacting with each other" has been amended to "wherein the one or more financial transactions involves one or more of the plurality of the financial institutions transacting with the financial management system". Support for this limitation is found in Figure1, Figure 2, and at page 11, line 19.

In claim 64:

"wherein recommending comprises displaying information in the client computer" has been canceled without prejudice.

Applicants respectfully submit that the rejections under 35 U.S.C. § 112, first paragraph are overcome, and withdrawal of these rejections is respectfully requested.

35 U.S.C. § 112, second paragraph

Claims 59-64 and 78-83 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants have amended the claims to correct the formalities helpfully pointed out by the Examiner. Withdrawal of the rejections is respectfully requested.

Rejection under 35 U.S.C. § 103

Claims 59-64, and 78-83 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Grant et al. (U.S. Patent 4,694,397, hereinafter "Grant"). Applicants respectfully submit that the invention of claims 59-64, and 78-83 would not have been obvious to one of ordinary skill in the art in view of the cited references.

Grant discloses a specific interface (see elements 32 and 38 of Figure 1 for

example) between a banking computer system and a brokerage computer system.
Grant was published in 1987, before online banking became ubiquitous. The Abstract
states:

> Apparatus is provided for interfacing a banking system and
> a brokerage system having a number of brokerage offices. Clients
> having both a brokerage and a banking account transact both
> brokerage and banking activities from the brokerage office.
> Automatic transaction processing within and between the banking
> and brokerage systems is created in response to a client transaction
> activity originated at a brokerage office.
> (Emphasis added)

Grant is confined to describing a specially designed interface system that allows
a brokerage employee to conduct transactions on behalf of a customer (interface 38).
One interface 32 is required between the communication link 36 and the brokerage
computer system 14. Another interface 38 is required between the communications
link 36 and the banking computer system 24. Column 3, line 59-column 4, line 5 and
Figure 2 describe the operation of the Grant system. All transactions are conducted on
the brokerage computer system 14 by "brokerage operations personnel or brokerage
salesperson through a pre-established sign-on procedure..." Grant describes a system
that would be considered relatively primitive in comparison with the claimed
invention. In order for the brokerage and the bank to communicate and conduct
transactions, the specific interface 32 and 38 must first be in place. In order for a
customer to take advantage of the brokerage/banking setup, the customer must be
recognized beforehand as having "dual status".

> Briefly, the banking/brokerage interface system recognizes
> at the start of either a banking or brokerage activity initiated from a
> brokerage terminal 18, 18 [sic] whether a customer has a dual
> status. The status information is transmitted to the
> banking/brokerage interface portion designated generally at 32
> from the brokerage system 12 via a data bus designated generally
> at 34. The interface 32 initiates a connection to and provides the
> appropriate supervisory signals for the data communications link
> designated generally at 36 to access the banking/brokerage
> interface designated generally at 38 at the banking system location.
> The interface 38 in turn communicates with the banking computer

system via a data bus designated generally at 40 to complete the
data information path between the banking system 22 and the
brokerage system 12.
   (Column 3, lines 16-31).

Further, Grant requires a cumbersome process to properly reconcile financial

transactions involving the bank that are conducted from the brokerage. For example:

   In general, brokerage systems do not maintain sufficient
   previous pricing information and historical data to properly
   reverse all actions taken to recalculate the available funds in
   the account. Therefore, it is necessary to manually retrive [sic]
   the appropriate previous pricing information and historical data
   in order to calculate the available funds in the account.
      (Column 5, lines 5-12).

Grant clearly fails to teach or suggest a method as claimed, including at least

the underlined elements below:

   A method comprising:
   <u>a processor-based financial management system receiving
   identification and access information for a plurality of financial accounts
   from an account holder, wherein the identification information is entered
   by the account holder in a client computer and transmitted to the financial
   management system via a publicly available communications network
   according to standard protocols accessible to any user of the publicly
   available network, wherein the financial management system is coupled to
   a plurality of financial institutions via the publicly available network,</u> and
   wherein identification and access information comprises account
   information, one or more online banking login names, and one or more
   passwords;
   the financial management system identifying a first account
   balance associated with a first account of the plurality of financial
   accounts;
   the financial management system further identifying a second
   account balance associated with a second account of the plurality of
   financial accounts, wherein the first account and the second account are
   associated with one or more of the plurality of financial institutions;
   obtaining account information from the first and second accounts
   using <u>the identification and access information provided by the account
   holder, wherein obtaining comprises the financial management system
   accessing each of the associated financial institutions separately via the
   publicly available network;</u>

the financial management system comparing the first account balance to a particular value;

if the first account balance exceeds the particular value, the financial management system recommending a transfer of funds from the first account to the second account, wherein the first account and the second account have a common account holder, and wherein the recommendation to transfer funds identifies an amount to be transferred equal to the value by which the first account balance exceeds the particular value, wherein recommending comprises generating a report for the account holder;

if the first account balance is below the particular value, the financial management system recommending a transfer of funds from the second account to the first account, wherein recommending comprises generating a report for the account holder that is viewable on a computer via the publicly available network; and

the financial management system automatically executing one or more financial transactions on behalf of the account holder, comprising transferring funds to implement the recommendation, wherein the one or more financial transactions involves one or more of the plurality of the financial institutions transacting with the financial management system.

(Amended claim 59, emphasis added)

Applicants respectfully submit that the dedicated interfaces and communication link of Grant would not allow for, or suggest, the claimed method of receiving login information from an account holder for accounts at different institutions and automatically accessing those different institutions automatically on behalf of the user using the login information. Grant requires the dedicated interfaces between a brokerage and a bank, and a particular pre-arranged protocol. Further any transactions must be manually performed by employees. In contrast, the invention of claim 59 includes automatically executing one or more financial transactions on behalf of the account holder, comprising transferring funds to implement the recommendation, wherein the one or more financial transactions involves one or more of the plurality of the financial institutions transacting with the financial management system and not transacting with each other.

At the time Grant was filed, there was no facility for a third party or intermediary financial management system to access multiple financial institutions on behalf of an account holder using identification and access information received from

the account holder. At that time there was also no facility for a financial management system to transact on behalf of an account holder where two financial institutions, each a party to the transaction, do not communicate with each other, but only with the financial management system. For these reasons, Applicants respectfully submit that the current ubiquity of public networks does not supply the deficiencies of Grant such that the present invention would have been obvious to one of ordinary skill. The combination of Grant with the Internet, for example, does not result in the claimed invention, as explained above. Therefore Applicants respectfully submit that the invention of claim 59 would not have been obvious in view of Grant and the Official notice. The dependent claims include further limitations on claim 59, and are therefore also allowable over the cited art. Claim 83 includes limitations similar to the ones distinguished from the prior art with reference to claim 59. Therefore Applicants submit that claims 59, 83, and dependent claims, which include further limitations, are allowable over the cited art.
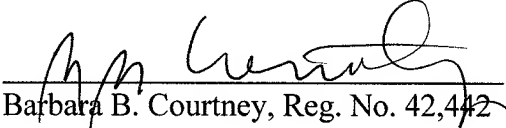
CONCLUSION

Applicants respectfully submit that the request to show support for the claim amendments has been complied with. The Examiner is respectfully encouraged to telephone the undersigned if a discussion may expedite the examination process.

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Please charge deposit account 503616 for any fees due and not already paid herewith.

Respectfully submitted,
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